

LABOUR DEPARTMENT

The 10th June, 1986

No. 9/8/86-6 Lab./4292.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. G.G. Textiles 22-A, N.I.T., Faridabad:—

IN THE COURT OF SHRI R.N. SINGAL, PRESIDING OFFICER, LABOUR COURT, FARIDABAD

Reference No. 679 of 1985

between

SHRI SHIV SHANKAR, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S.
G.G. TEXTILES, 22-A, N.I.T., FARIDABAD

Present.—

Workman with Shri Jawahar Lal.

None, for the respondent-management.

AWARD

This industrial dispute between the workman Shri Shiv Shankar and the respondent management of M/s. G.G. Textiles, 22-A, N.I.T., Faridabad has been referred to this Court by the Hon'ble Governor of Haryana, vide his order No. 1D/FD/139-85/40415-20, dated the 30th September, 1985, under section 10(1)(c) of the Industrial Disputes Act, 1947 for adjudication. The terms of reference were as under:—

Whether the termination of services of Shri Shiv Shankar, workman, was justified and in order ?
If no to what relief is he entitled ?

The management was proceeded *ex parte*,—vide my order dated the 4th February, 1986 as the management did not appear inspite of service through registered cover as well as through UPC. Both the notices were received un-served that the factory is lying closed.

According to the demand notice, the workman was appointed in July, 1983 and his services were illegally terminated on 16th April, 1985. He has claimed reinstatement with continuity of service and with full back wages. In *ex parte* evidence the workman appeared as WW-1 and supported his contentions. It is clear that the claimant had completed more than 240 days of service at the time of termination of service. Mandatory provisions of Section 25-F of the I.D. Act were not complied with. Hence the termination of services of the workman is illegal and un-justified. He is entitled to be reinstated with full back wages and with continuity of services. He is also entitled to Rs. 300 as costs of the proceedings.

Dated the 2nd April, 1986.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endst. No. 1124, dated 30th April, 1986.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.